

REMARKS

Claims 1 – 7 and 15 – 17 are in the application. Claims 1, 15, and 16 are currently amended; claims 2 – 7 and 17 were previously presented; and claims 8 – 14 have been canceled. Claims 1, 15, and 16 are the independent claims herein.

No new matter has been added as a result of the amendments submitted herein. This Corrected Amendment and Response includes markings to indicate all of the changes made to claims 1, 15, and 16 relative to immediate prior version of the claims (entered in the application by way of the Preliminary Amendment submitted with an RCE to the Office via EFS on September 30, 2008), as indicated in the Notice of Non-Compliant Amendment dated April 22, 2009.

Reconsideration and further examination are respectfully requested.

Claim Rejections – 35 USC § 102

Claims 1 – 7 and 15 – 17 were rejected under 35 U.S.C. 102(b) as being anticipated by Diacakis et al. U.S. Publication No. 2002/0116336, hereinafter “Diacakis”. This rejection is traversed.

Regarding the rejection of claim 1, Applicant notes that claim 1 relates to a interfacing an identity oriented context application that represents a context of an identity based on an availability or state of the identity with a device oriented context application that determines an availability or state of a device associated with the identity, where the identity is a person or a group of persons; determining, by the device oriented context application, a device oriented context for a specific device associated with the identity, wherein the device oriented context provides an availability status of the specific device; determining, by the identity oriented context application, an identity oriented context for the identity, wherein said identity oriented context provides an availability status of said identity; determining an availability rule associated with the

identity, the availability rule governing when or how the identity is available, when or how the identity can be contacted by other identities, how or when the identity can be contacted based on the identity oriented context of the identity, and how or when the identity can be contacted based on the device oriented context of the identity; determining, for a specific time, a true availability of said identity based, at least in part, on the determined device oriented context for the specific device associated with the identity, the determined identity oriented context and the determined availability rule at the specific time; and providing data indicative of the true availability of said identity.

In particular, the claimed method clearly includes determining, for a specific time, a true availability of said identity based, at least in part, on the determined device oriented context for the specific device associated with the identity, the determined identity oriented context and the determined availability rule at the specific time. Thus, it is clear the true availability of the identity is determined based on (1) the device oriented context for the specific device associated with the identity, (2) the identity oriented context and (3) the availability rule at the specific time.

Applicant submits that claims 15 (article of manufacture) and 16 (system) are worded similar to claim 1.

Applicant respectfully submits that the cited and relied upon Diacakis does not disclose or suggest, at least, the claimed determining, for a specific time, a true availability of the identity based, at least in part, on the device oriented context for the specific device associated with the identity, the identity oriented context and the availability rule at the specific time. That is, Diacakis fails to disclose or suggest the combination of factors (1), (2), and (3) above for determining the “true identity: of the entity as claimed by Applicant.

Furthermore, Applicant notes that the Office Action states “presence engine [18 is] interpreted as device oriented context system since it determines user’s presence on particular devices” as page 3 of the Office Action. As such, it appears that the Office admits that the Diacakis discloses a system that “determines user’s presence on

particular devices”. This is in contrast to the claimed device oriented context application that determines an availability of a device. That is, Applicant’s claimed method includes deterring the availability of a device whereas the alleged device oriented context application of Diacakis specifically discloses “determines user’s presence”.

Clearly, Diacakis does not disclose the claimed device oriented context application that determines an availability of a device. Therefore, it logically follows that the Diacakis fails to disclose the claimed aspect of mapping the new identity oriented context to a device oriented context for a specific device associated with the identity, wherein the device oriented context provides an availability status of the specific device.

Applicant further submits that it is clear that the claimed method of claim 1 includes both an identity oriented context application is claimed and a device oriented context application. Applicant submits that it is not seen where Diacakis discloses these two distinct applications.

Applicant respectfully submits that claims 1, 15, and 16 are not anticipated by Diacakis. Applicant further submits that claims 2 – 7, 9 – 14, and 17 are patentable over Diacakis for depending from an allowable base claim.

Therefore, Applicant respectfully requests the reconsideration and withdrawal of the rejection of claims 1– 7 and 15– 17 under 35 USC 102.

CONCLUSION

Accordingly, Applicants respectfully request allowance of the pending claims. If any issues remain, or if the Examiner has any further suggestions for expediting allowance of the present application, the Examiner is kindly invited to contact the undersigned via telephone at (203) 972-5985.

Respectfully submitted,

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